

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
ALEXANDRIA DIVISION**

RANDOLPH JOSEPH

CIVIL ACTION NO. 22-cv-3198

VERSUS

JUDGE TERRY A. DOUGHTY

SCOTT FRANKLIN ET AL

MAGISTRATE JUDGE PEREZ-MONTES

JUDGMENT

For the reasons assigned in the Report and Recommendation of the Magistrate Judge [Doc. No. 31] previously filed herein, and having thoroughly reviewed the record, including the Objection [Doc. No. 33] filed by Plaintiff Randolph Joseph, and concurring with the findings of the Magistrate Judge under the applicable law,

IT IS ORDERED, ADJUDGED, AND DECREED that the Motions to Dismiss [Doc. Nos. 3, 18, and 27] are hereby **GRANTED IN PART** and **DENIED IN PART** as follows.

IT IS ORDERED that to the extent that the parties move to dismiss for failure to exhaust administrative remedies, the Motions are **DENIED**.

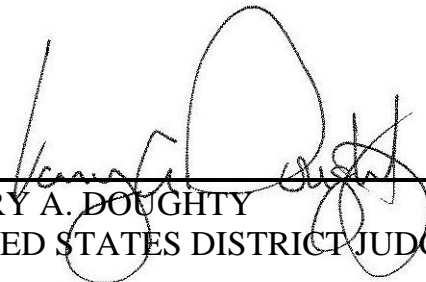
IT IS FURTHER ORDERED that to the extent the parties move to dismiss the Section 1983 claims for supervisory liability, the Motions are **GRANTED**.

IT IS FURTHER ORDERED that to the extent the Motions move to dismiss the Section 1983 *Monell* claims against Sheriff Franklin in his official capacity, LaSalle Corrections, LLC, LaSalle Correctional Center, LLC, LaSalle Management, LLC, and Warden Stuckey in his official capacity, for use of excessive force and denial of medical care, the Motions are **DENIED**.

IT IS FURTHER ORDERED that to the extent the Motions move to dismiss the Section 1983 *Monell* claims against Sheriff Franklin in his official capacity, LaSalle Corrections, LLC, LaSalle Correctional Center, LLC, LaSalle Management, LLC, and Warden Stuckey in his official capacity, for failure to train or supervise, are **GRANTED**, and those claims are **DISMISSED WITHOUT PREJUDICE**.

IT IS FURTHER ORDERED that to the extent the Motions move to dismiss Section 1983 claims against Sheriff Franklin and Warden Stuckey in their individual capacities, for failure to train or supervise, the Motions are **GRANTED**, and those claims are **DISMISSED WITHOUT PREJUDICE**.

MONROE, LOUISIANA, this 5th day of September 2023.



TERRY A. DOUGHTY
UNITED STATES DISTRICT JUDGE